ORDINANCE NO. 96- 24

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE 2010 FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING FUTURE LAND USE ATLAS PAGE 40 BY CHANGING A 9.98 ACRE PARCEL OF LAND, GENERALLY LOCATED ON THE NORTHEAST CORNER OF SEMINOLE PRATT-WHITNEY ROAD AND PERSIMMON BOULEVARD EXTENSION, FROM RURAL RESIDENTIAL 10 (RR-10) TO COMMERCIAL LOW WITH AN UNDERLYING RURAL RESIDENTIAL 10 (CL/RR-10); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted public hearings on February 23,1996, and May 10,1996, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County

Commissioners pursuant to Chapter 163, Part II, Florida Statutes at the conclusion of the public hearing; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on August 22, 1996, to review the recommendation of the Local Planning Agency; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendment to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan

An Amendment to the Land Use Element's Future Land Use Atlas of the Palm Beach County 1989 Comprehensive Plan, is hereby adopted as follows:

A. Future Land Use Atlas page 40 is amended as follows:

Application No.: SCA 96-S-3

Amendment: From 9.98 acres of Rural Residential 10 (RR-10) to Commercial Low (CL) with an underlying Rural Residential 10 (CL/RR-10).

A comprehensive plan agreement and covenant shall be recorded in the public records upon the adoption of this amendment. If construction of a shopping center on the property that is subject to this amendment has not commenced by June 1, 1998, the County may initiate and adopt a plan amendment

removing the commercial land use designation from the property.

General Location: Northeast corner of the intersection of Seminole Pratt-Whitney Road and Persimmon Boulevard extension.

Size: 9.98 acres

B. A legal description for the parcel depicting the amendment is attached to this ordinance as Exhibit 1.

C. A map depicting the amendment is attached to this ordinance as Exhibit 2.

Part II. Effective Date

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the amendment is in compliance.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 22 day of August, 1996.

DOROTHY H. WILKEN

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: Joan Haverly
Deputy Clerk

By: _____
Chair

~~Chair~~ JM

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
COUNTY ATTORNEY

Filed with the Department of State on the 30th day of August, 1996.

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EXHIBIT 1

DESCRIPTION

A parcel situate in Section 1, Township 43 South, Range 40 East, Palm Beach County, Florida, more particularly described as follows:

Commencing at the intersection of the South right-of-way line of Canal "M" Road (Record Book 6, page 141) and the East right-of-way line of Seminole Pratt-Whitney Road (Record Book 4, page 40), [N. 884040.7678, E. 726114.0998, Palm Beach County, Florida Coordinate System] run South 01° 42' 54" West along said East right-of-way, 3461.15 feet; thence leaving said right-of-way, run South 88°17' 06" East, 10.00 feet to the Point of Beginning.

From the Point of Beginning, continue South 88°17' 06" East, 371.55 feet; thence South 43°17' 06" East, 374.78 feet; thence South 01°42' 54" West, 477.98 feet ; thence North 88°17' 06" West, 556.56 feet; thence North 43°17' 19" West, 113.13 feet to a point which is 10.00 feet East of the Seminole Pratt-Whitney Road right-of-way; thence North 01°42' 54" East, parallel with and 10.00 feet East of said right-of-way, 663.00 feet to the Point of Beginning.

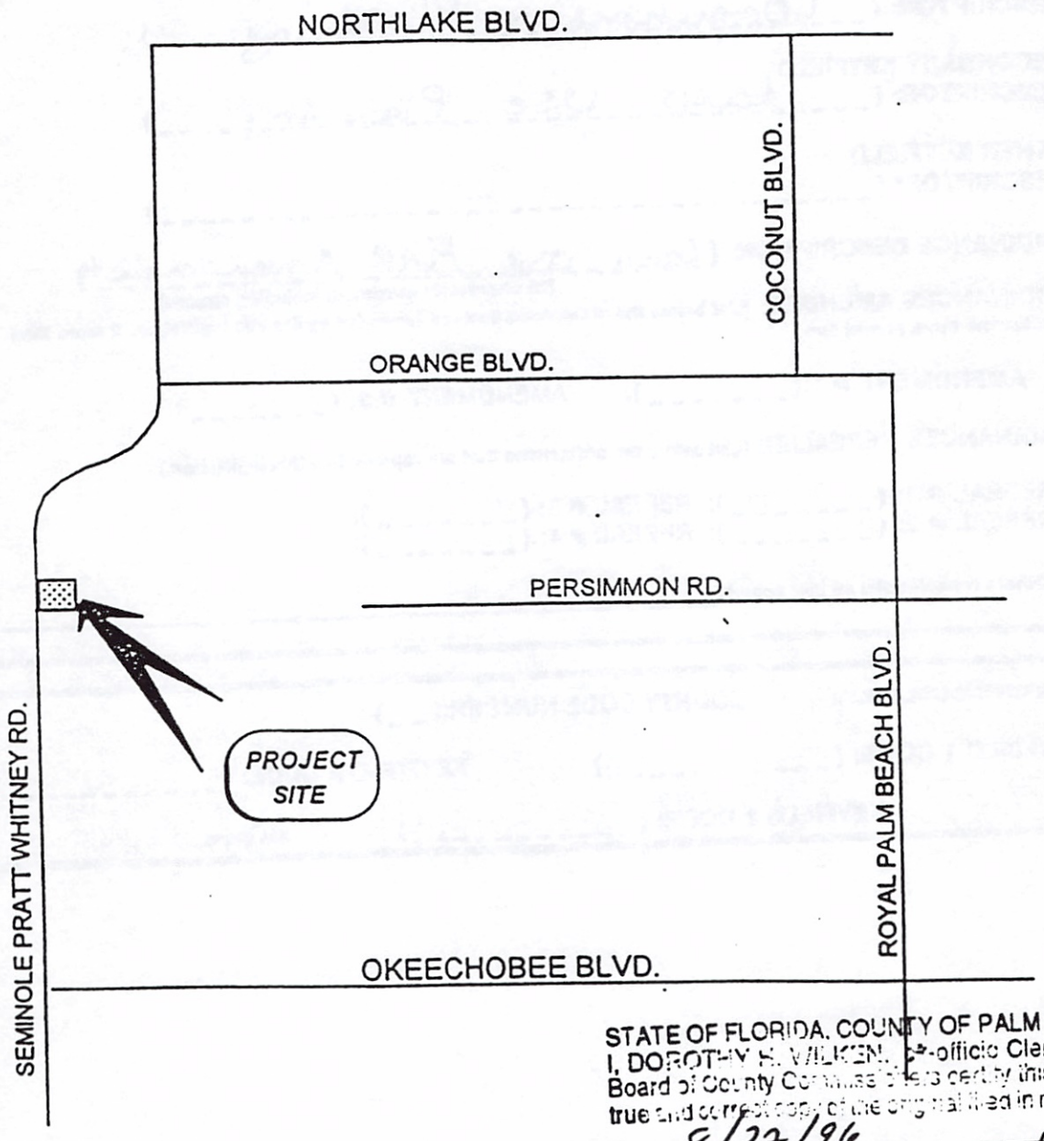
All the above situate in Palm Beach County, Florida and containing 9.98 acres, more or less.

EXHIBIT 2

GENERALIZED LOCATION MAP

LOCATION:

The 9.98 acre subject site is located on the northeast corner of the intersection of Seminole Pratt-Whitney Road and the proposed extension of Persimmon Boulevard. The site is approximately 3 miles north of Okeechobee Boulevard and 4 miles south of Northlake Boulevard on the east side of Seminole Pratt-Whitney Road.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, Ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on 8/22/96.
DATED at West Palm Beach, FL on 9/9/96.
DOROTHY H. WILKEN, Clerk
By: Phyllis A. Louise D.C.

Small
8Cells

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach) COUNTY ORDINANCE # (87-1)
(e.g., 92-001)

PRIMARY KEYFIELD DESCRIPTOR: (Comprehensive Planning)

SECONDARY KEYFIELD DESCRIPTOR: (Land Use Planning)

OTHER KEYFIELD DESCRIPTOR: (_____)

ORDINANCE DESCRIPTION: (Land Use MAP Amendment)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1:(_____); AMENDMENT # 2: (_____).

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____); REPEAL # 3: (_____);
REPEAL # 2: (_____); REPEAL # 4: (_____);

(Others repealed:list all that apply):_____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER:(__)

KEYFIELD 1 CODE: (_____) KEYFIELD 2 CODE: (_____)

KEYFIELD 3 CODE: (_____) Rev. 9/2/92